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REVIEW OF
EDUCATIONAL LEGISLATION
1917 *and* 1918

By

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in the United States, 1916-1918]



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REVIEW OF EDUCATIONAL LEGISLATION, 1917 AND 1918.

By WILLIAM R. HOOD,

Division of School Administration, Bureau of Education.

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Within the two years comprehended in this review the Congress of the United States has been in almost continuous session, and all the States, except Alabama, have held meetings of their legislative bodies. Six States—Georgia, Massachusetts, New Jersey, New York, Rhode Island, and South Carolina—hold annual meetings of their legislatures, and these, of course, had legislative sessions both in 1917 and in 1918. Within this period, special sessions were held in some States. Alabama is not included in this review for the reason that its legislature meets quadrennially and will not meet again until early in 1919.

The legislation of any year, particularly an odd-numbered year when 42 or 43 legislatures are in session, is invariably made up in large measure with enactments relating to education, and this is none the less true of the two years here considered. Distinctly new educational movements, however, have not been especially conspicuous in laws enacted. Progress in school legislation has partaken rather of the nature of improving older laws and moving along lines already well defined. A few elements have operated in legislatures with the probable effect of distracting attention from educational matters. The European war has been among these elements. The war and its concomitants have been uppermost in the minds of the people and in consequence have not gone without effect on State legislation. But it can hardly be said that this effect has been essentially hurtful.

On the contrary, as will appear later in this chapter, some very wholesome educational measures have received impetus from the war spirit.

THE FEDERAL GOVERNMENT AND EDUCATION.

The Government is more concerned with education than most people suppose. Of the 10 executive departments at Washington, at least 8 include bureaus or other agencies which touch education vitally at some point. Among the more noteworthy of these are the Bureau of Education and the Office of Indian Affairs of the Department of the Interior, the Public Health Service of the Department of the Treasury, the States Relations Service of the Department of Agriculture, the Children's Bureau, and the Bureau of Naturalization of the Department of Labor, and the great training branches of the War and Navy Departments. In addition to these, the Library of Congress, the Smithsonian Institution, the Council of National Defense, the Committee on Public Information, and some other agencies serve an educational purpose not only through their broader information-giving activities, but through school channels as well. The work of all of these agencies challenges our attention afresh, now that the Government is extending its educational activities along other lines.

VOCATIONAL EDUCATION.

Prior to 1917 the Government had adopted and pursued several well-defined policies with regard to education. These are seen in the consistent granting, upon the admission of each State, of lands from the public domain for the endowment of the common schools; the provision of school facilities for dependent peoples such as Indians; the encouragement of higher agricultural and technical education by the enactment of the first Morrill Act of 1862 and supplementary acts; and the maintenance of extension work, particularly in agriculture, as provided in the "Smith-Lever Act" of May 8, 1914. In 1917 another and no less important policy in education was inaugurated. This took form in the so-called "Smith-Hughes Act," granting Federal aid for vocational education.

The Smith-Hughes Act was approved by the President on February 23, 1917. It appropriates funds for the purpose of cooperating with the States in providing instruction in agricultural, trade, home economics, and industrial subjects and in preparing teachers of vocational branches of study. For the salaries of teachers, supervisors, and directors of agricultural subjects an initial appropriation of \$500,000 was made for the fiscal year ended June 30, 1918,

and an annual increment of \$250,000 is added until the fiscal year 1924, after which \$500,000 is added each year until an allowance of \$3,000,000 is reached in the fiscal year ending June 30, 1926. These sums are allotted to the States in the proportion which the number of their respective rural inhabitants bears to the total number of rural inhabitants of the United States. For the salaries of teachers of trade, home economics, and industrial subjects appropriations are made in like manner and amounts. The sums appropriated for this purpose are allotted to the States in the proportion which the number of their respective urban inhabitants bears to the total number of urban inhabitants of the United States. The third appropriation will reach \$1,000,000 in the fiscal year ending June 30, 1925, and is intended for preparing teachers, supervisors, and directors of agricultural subjects and teachers of trade, industrial, and home economics subjects. The allotment of this fund is made on the basis of total population.

The act creates a Federal Board for Vocational Education, which is composed of the Secretaries of Agriculture, Commerce, and Labor, the Commissioner of Education, and three citizens appointed by the President. Of the appointed numbers one must be a representative of manufacturing and commercial interests; one, of agriculture; and one, of labor. This board is charged with the administration of the act and may appoint such assistants as deemed necessary. An annual appropriation of \$200,000 is made to defray the cost of administration and of such investigations and special studies as the board may undertake.

In order to receive the benefits of the act any State must accept its provisions and create or designate a board to cooperate with the Federal board. It is also required that the State or local authorities therein, or both, expend an amount equal to that expended in the State by the Federal Government, and that plans be adopted for vocational education which are acceptable to the Federal board. The State treasurer must be designated by the legislature as the custodian of funds allotted under this act, and the State board must report annually to the Federal board in Washington. The latter is required annually before the 1st day of January to certify to the Secretary of the Treasury the amount to which each State is entitled and must report annually to Congress.

As showing something of the operation of this act, the following brief table is given. It indicates the amount allotted to each State for the fiscal year ending June 30, 1919.

Federal funds allotted to the several States for vocational education.¹

Alabama.....	\$49,765.68	Nevada.....	\$15,000.00
Arizona.....	15,000.00	New Hampshire.....	15,000.00
Arkansas.....	37,874.42	New Jersey.....	62,776.97
California.....	58,021.64	New Mexico.....	15,000.00
Colorado.....	19,273.43	New York.....	226,343.14
Connecticut.....	31,245.91	North Carolina.....	51,191.24
Delaware.....	15,000.00	North Dakota.....	17,808.09
Florida.....	18,857.55	Ohio.....	115,022.17
Georgia.....	60,948.84	Oklahoma.....	38,655.31
Idaho.....	15,000.00	Oregon.....	16,742.18
Illinois.....	137,581.93	Pennsylvania.....	186,786.00
Indiana.....	64,578.82	Rhode Island.....	19,304.07
Iowa.....	52,530.24	South Carolina.....	36,189.30
Kansas.....	39,867.34	South Dakota.....	17,708.61
Kentucky.....	53,701.68	Tennessee.....	51,011.12
Louisiana.....	39,085.00	Texas.....	91,361.83
Maine.....	17,920.00	Utah.....	15,000.00
Maryland.....	31,250.08	Vermont.....	15,000.00
Massachusetts.....	86,138.70	Virginia.....	48,288.17
Michigan.....	67,539.35	Washington.....	27,614.44
Minnesota.....	49,557.88	West Virginia.....	29,417.16
Mississippi.....	42,888.92	Wisconsin.....	55,843.72
Missouri.....	78,755.04	Wyoming.....	15,000.00
Montana.....	15,000.00		
Nebraska.....	28,014.13	Total.....	2,307,460.44

EDUCATION FOR THE DISABLED SOLDIER.

Another duty imposed on the Federal Board for Vocational Education is that of providing vocational rehabilitation for persons disabled under circumstances entitling them, after discharge from the military or naval forces of the United States, to compensation under the war-risk insurance act of October 6, 1917. This duty is imposed by the so-called "Smith-Sears Act," approved June 27, 1918. Under this act the Federal board is authorized to take the disabled man when he is discharged from the hospital, or when the Army medical authorities permit, and give him training as his needs require, taking into account, of course, his personal preference and previous training and aptitudes. The training provided is designed to restore the man as far as possible to full duty again as a soldier in civilian ranks. His instruction may take the form either of further education or adjustment for his prewar vocation or of reeducation for a new vocation in life. During the period of rehabilitation he is entitled under the law to receive \$65 or more per month, according to his circumstances. Allowances for dependents are also provided. On the part of the man the training is voluntary. If, however, he fails or refuses to follow the prescribed course of rehabilitation,

¹ Federal Board for Vocational Education. Second Annual Report, 1918, p. 106.

tion which he has elected to follow, the Bureau of War-Risk Insurance may, on the recommendation of the board withhold his allowance. The expenses connected with his instruction, including the cost of books and supplies, are defrayed by the Federal board. The board is given large discretion in formulating plans, prescribing courses of study and the like. The act appropriates and makes available until expended the sum of \$2,000,000 for the purpose of carrying out its provisions.

Section 6 of the above-mentioned act also provides:

That all medical and surgical work or other treatment necessary to give functional and mental restoration to disabled persons prior to their discharge from the military or naval forces of the United States shall be under the control of the War Department and the Navy Department, respectively.

It is further provided in this section that, whenever training is employed as a therapeutic measure by the War Department or Navy Department, a plan of cooperation may be established between these agencies and the Federal board acting in an advisory capacity, and that the War and Navy Departments may cooperate in a like capacity in the care of the health of the soldier or sailor after his discharge from the military or naval forces. This section thus takes legislative cognizance of the work of rehabilitation established under the direction of the Surgeon General of the Army. In the last months of the year 1917 Surg. Gen. William C. Gorgas organized in his office a Division of Physical Reconstruction. This division seeks to secure as far as possible the full functioning again of the disabled man's physical and mental parts. Its methods, therefore, are primarily therapeutic and look to restoration to military duty, but the man's return to civil life is not overlooked. Such instruction as is provided is given prior to the man's discharge from service. The work is supported from appropriations for hospital and other health work in the Army.

MOBILIZING EDUCATIONAL INSTITUTIONS.

One of the first and most important needs of the Army, after America's entry into the war, was for additional officers. These were provided in reserve officers' training camps. A group of officer-candidates was assembled at each of these camps and given intensive training for a period of about three months, at the end of which successful candidates were awarded commissions. The first series of camps was begun in May, 1917, at 13 points in different parts of the country. Other series were held at intervals after that time. By May, 1918, numerous educational institutions had been made centers of officer training. Men of as much previous training as possible were desired, and naturally the eyes of the War Depart-

ment were turned for a large proportion of the officers needed to college graduates and students. The maintenance of units of the Reserve Officers' Training Corps at higher educational institutions was authorized by the "National Defense Act" of June 3, 1916.

"With a view to mobilizing the educational institutions of the country and their facilities for special training," the War Department announced, on February 13, 1918, the appointment of a committee on education and special training. This committee had been created three days previously by General Order No. 15. It was composed of Army officers, and an advisory committee of educational experts was added. The committee was charged with the supervision of the Students' Army Training Corps, which comprised a collegiate section and a vocational section. Units of the Students' Army Training Corps were organized at over 500 educational institutions of the country. The collegiate section consisted of regularly enrolled college students, who, on application and on meeting the physical requirements, were given the status of enlisted men and left, subject to call, in training at their respective institutions. The courses were arranged on the basis of a three-months' term and were designed for training both officer-candidates and technical experts. The War Department entered into contract with the institution for housing, subsistence, and tuition of the men of both the collegiate and the vocational section. No promise was given that a man would be left in college for any stated time, but so long as he was not called, his college education was provided by the Government. There was, however, the understanding that the call of the younger men would be deferred longer than that of men of maturer years.

The aim of the vocational section was to train men for service as trade specialists in the Army. They pursued such subjects as auto driving, auto repairing, bench work, sheet-metal work, electrical work, and the like. As the courses were organized, they were to be given through a term of two months. Registrants who had a grammar-school education or equivalent trade experience were eligible for the vocational section. Induction was either by call of the local draft board, by application to the committee in Washington, or by transfer from other units.

In the last "draft law," approved August 31, 1918, legislative sanction in the following language was given to the work as planned by the Committee on Education and Special Training:

SEC. 7. That the Secretary of War is authorized to assign to educational institutions, for special and technical training, soldiers who enter the military service under the provisions of this act in such numbers and under such regulations as he may prescribe; and is authorized to contract with such educational institutions for the subsistence, quarters, and military and academic instruction of such soldiers.

It must not be supposed that all war education was intrusted to the Committee on Education and Special Training. On the contrary, the committee's activities were confined to educational institutions. Outside of these important educational forces were "carrying on," for the Office of the Surgeon General, the Ordnance Department, the Quartermaster's Department, the Chemical Warfare Service, the Division of Military Aeronautics, the Signal Corps, the Motor Transport Corps, and the Engineer Corps, all had means of training for their respective purposes.

TRAINING SOLDIERS IN THE COMMON SCHOOL BRANCHES.

An important branch of the Army educational system was that organized under General Order No. 15 and designated "Development battalions." These were designed for men who, because of remediable shortcomings, were at first unfit for full military duty. The fault might be either physical or mental. In the latter event, the remedy was generally instructional in character, as where a man of foreign birth or parentage was unable to speak and understand the English language, or where a native American was illiterate. These battalions were organized at all cantonments, and many thousands of foreigners and illiterates were given as far as practicable the elements of an English education.

SCHOOLS ON GOVERNMENT INDUSTRIAL RESERVATIONS.

In the spring of 1918 plans for the establishment and maintenance of schools for the children of workers employed on Government industrial reservations where munitions and accessories were manufactured for the Army were formulated in the office of the Chief of Ordnance and were later approved by the Third Assistant Secretary of War. By order of August 13, 1918, the Chief of Ordnance directed that the Community Organization Branch of the Industrial Service Section, Production Division, be charged with the organization and control of such schools. This branch was accordingly organized in the Ordnance Department, and a director and an assistant director were placed in charge. School systems have been organized or projected on reservations at or near the following places: Elmwood, N. J.; Mays Landing, N. J.; Delaware City, Del.; Tullytown, Pa.; Perryville, Md.; Charleston, W. Va.; Seven Pines, Va.; Penniman, Va.; Nashville, Tenn.; Muscle Shoals, Ala.; Sheffield, Ala.; Brunswick, Ga. The schools are supported by allotment from Federal appropriations. Superintendents, principals, and teachers are employed under the direction of the central office in Washington.

NAVAL EDUCATION.

In a manner similar to that of the Army, the Navy's educational system has undergone great expansion since the beginning of the war. In general, its system of training in war time parallels that of the Army. That is to say, men are inducted into the service in practically the same way and are given such preliminary and special training as the needs of the Navy and their previous education and aptitudes call for. By an agreement between the War and Navy Departments, the Navy was allotted, under the "draft law" of August 31, 1918, about 15,000 men per month. These received training, as circumstances determined, either in the "naval section" of the Students Army Training Corps—at over 100 educational institutions—or in the various naval-training stations and camps throughout the country. They, as well as the men of the Army, are entitled under the law to vocational rehabilitation in case of mutilation in the discharge of duty. Since the outbreak of the war, the number of cadets at the Naval Academy at Annapolis has been greatly increased by law.

ENLARGED ACTIVITIES OF THE DEPARTMENT OF LABOR.

When a state of war was declared between the United States and the German Government, the Department of Labor already included within its activities several lines of educational endeavor, particularly in connection with the work of the Bureau of Naturalization and the Children's Bureau, and after the outbreak of hostilities it was found necessary to enlarge the department's activities along various lines, including educational. Three notable agencies which touch education and which have been organized within the last biennium are the Employment Service, the Information and Education Service, and the Training and Dilution Service. Each of these offices is organized as a bureau and has a director in charge.

The United States Employment Service is an outgrowth of the general powers conferred upon the Department of Labor by Chapter 141, Acts of Congress of 1912-13, and of the more specific powers conferred upon the division of information of the department by section 30, chapter 20, Acts of 1916-17 (Immigration Act). For the fiscal year ending June 30, 1919, Congress appropriated (Sundry Civil Act of July 1, 1918), \$5,500,000—

to enable the Secretary of Labor, during the present emergency to furnish such information and to render such assistance in the employment of wage earners throughout the United States as may be deemed necessary in the prosecution of the war and to aid in the standardization of all wages paid by the Government of the United States and its agencies.

As a part of the work of this "service," the Boys' Working Reserve and the collegiate section of the Women's Division were organized. In the spring of 1918 the Boys' Working Reserve was mobilized and trained, as far as practicable, to spend their vacations in the country at farm work. Effort was also made to induce boys so employed in vacation time to return to school in the autumn. In connection with the reserve a collegiate section was maintained for the purpose of mobilizing college students in a similar manner. One of the functions of the Women's Division involves the placement of women, particularly college women, in suitable positions.

The Information and Education Service is educational in that it is an information-giving bureau. It was organized as a separate agency after the passage of the Sundry Civil Act of July 1, 1918, which appropriated \$225,000 for "information and education service." A similar appropriation in the same act was that of \$150,000 for the "training and dilution of labor." In war time it was found necessary to infiltrate unskilled labor into the industries to do a part of the work, usually simple processes, formerly done by the skilled worker. Prior to induction into such employment the prospective employee needs a short period of training. This "training and dilution of labor" is the work with which the office here mentioned is concerned.

In connection with the two older offices of the department which are in a measure concerned with education there are two notable activities of recent development. By act of June 29, 1906, the Bureau of Naturalization was charged, under the direction of the Secretary of Labor, with "all matters concerning the naturalization of aliens." Under this authorization and in pursuance of a plan formulated in April, 1914, this bureau has during the last three years sought to obtain the cooperation of public school authorities throughout the country in the Americanization of prospective citizens of foreign birth. It furnishes these authorities the names and addresses of declarants for citizenship and petitioners for naturalization for the purpose of bringing these declarants and petitioners under the Americanizing influence of the public school, and, by means of letters and otherwise, seeks to induce them and their wives to take advantage of the school opportunities afforded them. It also publishes and furnishes a manual for teachers and a textbook for the use of prospective citizens. Authority for the provision of textbooks is embodied in the Naturalization Act of May 9, 1918.

In addition to its other duties the Children's Bureau was charged with the enforcement of the act of September 1, 1910, entitled, "An act to prevent interstate commerce in the products of child labor, and for other purposes," and proceeded with the work of carrying the act into effect until it was declared unconstitutional by de-

cision of the Supreme Court of the United States rendered June 3, 1918. This decision was conclusive, rendering the so-called "child-labor law" wholly invalid and inoperative.

OTHER AGENCIES.

It is not the purpose of this review to enumerate and describe all of the Government's educational activities, nor to treat exhaustively all those that have been undertaken within the past two years. There are, however, some other activities that merit notice here, especially since they are the outgrowth of laws enacted within the period comprehended by this chapter. Among these are the training of shipyard workers and seamen under the Shipping Board, the dissemination of information and the promotion of a wholesome national spirit by the Committee on Public Information, and the conduct of propaganda for the conservation of food and fuel by the Food Administration and the Fuel Administration, respectively. From its organization the Shipping Board has sought to provide aid to train as far as possible the workers necessary to build the ships provided for by the shipping law, and to man these ships after their entry into the marine service. In the planning of courses of instruction and the organization of its training system, the board has had the cooperation of the Federal Board for Vocational Education. The other agencies mentioned, particularly the Committee on Public Information and the Food Administration, have used school channels extensively for their respective purposes.

EXPANSION OF THE BUREAU OF EDUCATION.

For some years Congress has from time to time increased the appropriations made for the Bureau of Education. During the past two years these increases have amounted to \$36,760, exclusive of allowances for work among the natives of Alaska. For the fiscal year ending June 30, 1919, the total appropriation, exclusive of the sum for Alaska, is \$162,260. Increments to appropriations already provided in earlier laws include additions to the classified clerical force and more funds for the payment of traveling expenses. For the fiscal year 1918 the sum allowed for the investigation of rural education and industrial education was increased from \$35,000 to \$45,000, and a part of the latter sum was made available for school hygiene. This appropriation was raised to \$50,000 for the current year. During the same period the allowance for school and home gardening was increased from \$5,700 to \$7,500. New lines of work were authorized in 1918-19 by appropriations of \$9,000 for the "in-

vestigation of elementary and secondary education, including evening schools, and the wider use of the schoolhouse in cities and towns." and \$4,300 for the "investigation of kindergarten education." Thus, by increments to its annual allowances, and by new authorizations, the Bureau of Education is continually expanding, but there remain various lines of valid endeavor which it is not yet able to undertake.

COUNCIL OF NATIONAL DEFENSE.

The act making appropriations for the support of the Army for the fiscal year ended June 30, 1917, approved August 29, 1916, provided for a Council of National Defense to consist of the Secretaries of War, Navy, Interior, Agriculture, Commerce, and Labor, and to have associated with it an advisory commission, to consist of not more than seven members, appointed by the President. Among other duties the council is charged under the act with the "coordination of industries and resources for the national security and welfare" and with the "creation of relations which will render possible in time of need the immediate concentration and utilization of the resources of the Nation." The council has accordingly sought in various ways to mobilize and coordinate America's resources, including educational facilities. Among the important agencies organized by the council are the Committee on Engineering and Education, the Woman's Committee, the Committee on Labor, and the State Councils Section, all of which have done appreciable service in collecting data and obtaining the cooperation of the educational forces of the country. The act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1919, appropriates \$400,000 for the work of the council.

STATE LEGISLATION.

Since there have been 53 regular sessions of legislatures and a number of special sessions within the last two years, the volume of school legislation enacted in that time has been very large. It is safe to estimate the number of bills enacted into laws affecting education to have been more than 1,000. Whatever the exact number may be it is obviously too large to permit extensive treatment of every act, or even of every important act, in a brief survey of the kind attempted here. Moreover, brief digests and discussions of these acts are presented elsewhere in publications of the Bureau of Education. In this chapter the effort is made to consider the more significant educational movements and to show their progress through the enactment of law.

GENERAL STATE ADMINISTRATION.

The constant state of flux and change of statutory law is not so apparent in legislation affecting general State administration as it is in the details of the school system, or with the smaller units of school control. There are, however, some recent laws affecting State departments of education and general State school policies that merit especial notice. Among these are acts relating to the organization and powers of State boards of education and the powers and duties of superintendents of public instruction and provisions for State commissions for various purposes. An Illinois act of 1917 reorganizes the civil administration of that State by creating nine administrative departments. Among these is a "department of registration and education." In addition to the director, there are created in this department the offices of assistant director and superintendent of registration and education and a board to have control of the normal schools. This board consists of nine officers of the several departments, the director of registration and education, and the superintendent of public instruction. All offices created by this act are filled by appointment by the Governor for terms of four years, unless otherwise provided in the act. The department of registration and education succeeds to the powers and duties of the State board of education. Among other duties it is charged with the conduct of examinations of applicants for licenses to practice various professions and vocations, and with investigations and the dissemination of information respecting the resources, zoology, botany, entomology, geology, and water supply of the State.

An act of the legislature of Kansas (Ch. 297, Acts of 1917) provides for the management of State institutions by a State board of administration. This board consists of three qualified electors appointed by the governor with the consent of the senate; the governor is himself a member and chairman. The appointed members are to serve for terms of four years. Their salaries are \$3,600 each, and their entire time must be devoted to the duties of the board. Under the provisions of this act, the board of directors of the several educational, benevolent, penal and correctional institutions of the State are abolished, and the State board of administration succeeds to their powers and duties.

For some time there has been a distinct tendency in this country to replace ex-officio boards, or boards made up wholly or in large measure of incumbents of other offices, with members chosen directly from the people. Utah made a change in its State board of education in accordance with this tendency in 1915, and in 1917 (Ch. 478) Wisconsin did likewise. In the latter the board formerly consisted of the governor, secretary of state, superintendent of public in-

struction, one person appointed by the board of regents of the State university, and one appointed by the regents of the normal schools. By the act of 1917 the board is constituted as follows: Governor, superintendent of public instruction, one member appointed by the regents of the university, one member appointed by the regents of the normal schools, and five persons appointed by the governor with the consent of the senate. The terms of the five appointed by the governor are five years and are overlapping, one member being appointed each year. The board is charged with the management of the fiscal and business affairs of the educational agencies of the State.

The State board of education of Wyoming, as at present constituted, is a board in which the only ex-officio member is the superintendent of public instruction. This officer and six members appointed by the governor compose, under chapter 120, Acts of 1917, the board of education of that State. The powers and duties of the board are outlined as follows: To have general control and supervision of the public schools, to fix standards for the courses of study in elementary and high schools, to make rules for the certification of teachers, to conduct educational investigations, to have general oversight of vocational and other special schools receiving State aid, to advise the trustees of the university with respect to the normal department of that institution, to assume the powers and duties of the State board of examiners of applicants for teachers' certificates. The board is also authorized to appoint a commissioner of education who is made its executive officer.

By an act of 1917 Tennessee provided that at least three of the nine members of its State board of education must be chosen from the minority political party.

Another line along which legislatures have approached State administrative problems in recent years is the creation of commissions to make special studies and reports on educational conditions or particular phases of education. The greater number of these commissions has been created for the purpose of making recommendations with regard to codifying the school laws and eliminating contradictions and inconsistencies. That such a codification is needed in many States is apparent to anyone who examines carefully the pamphlets of school laws published by State departments of education. Nor is this need unknown to State school administrative officers. In the preface to the "Georgia School Laws and Decisions," published by that State's department of education, Superintendent M. L. Brittain says:

By reason of recent legislation many contradictions occur in the Georgia school laws. . . . For this reason it has been thought wise to publish

[only] extracts of our more important and most necessary educational legislation until the right is granted to arrange the laws changed, omit those practically repealed, and to print a complete and thorough school code.

The legislature of 1918 provided for a commission to codify the school laws of Georgia.

The Virginia Legislature of 1918 took a similar step and provided for a "commission to study educational conditions in Virginia and elsewhere and to report to the next general assembly its findings, together with recommendations for a revision of the school laws and amendments to Article IX of the constitution."

In 1917 the legislatures of Arizona, Delaware, and North Carolina provided for commissions to codify their school laws. The usual provision in enactments of this character is for a commission to study school conditions in the State and elsewhere and to make to the next session of the legislature a report embodying recommendations as to legislation. There is, however, a difference in the amounts of money made available for the purposes of commissions. This is important, for the study should be thorough, and sufficient time and energy should be devoted to the report and the draft of the proposed school code to make them thoroughgoing.

Another sort of commission created in 1917 was that provided by an act of the Michigan Legislature for the purpose of making investigations and submitting reports and recommendations with regard to child welfare.

Except as already indicated in connection with State boards, the chief State school officer, called "superintendent of public instruction" in most States, has been the subject of only minor legislation within the past two years. This legislation has concerned chiefly the manner of choosing State superintendents and their compensation and assistants. In Iowa, prior to 1917, the superintendent was appointed by the governor, but the legislature of that year (ch. 318) repealed this provision and provided instead for his election by the qualified electors. A law of Nebraska enacted in the same legislative year (ch. 37) provides for the nonpartisan nomination and election of the superintendent of public instruction, county superintendents of schools, and regents of the State university. The State of Idaho has had since 1913 both a superintendent of public instruction and a State commissioner of education, the latter office having been created by statute in that year. But since the office of superintendent was provided for in the constitution, the effort to substitute a commissioner for a superintendent involved the amendment of the constitution so as to abolish the latter position. Accordingly the necessary amendment was proposed by the legislature of 1917.¹ A new law of

¹At the November election, 1918, this amendment failed of ratification.

Maryland enacted in 1918 requires the State superintendent to be a graduate of a standard college.

Acts of Connecticut and Michigan passed in 1917 provide for an assistant secretary of the State board of education and a deputy superintendent of public instruction, respectively. The act of Michigan also added two assistant superintendents. Enactments of Arizona and Delaware had the effect of increasing the compensation of the chief school officer of those States. South Dakota in the same year fixed by law the allowance for expenses of the State superintendent. Among other duties the office of director of State institutions, created in Vermont by act of March 2, 1917, includes the supervision and control of the Vermont Industrial School and the Vermont State School for Feeble-minded Children.

COUNTY ADMINISTRATION AND SUPERVISION.

For several years the county as a unit of school administration has been much in the minds of educators, and the subject has been much discussed both among school men and in State legislatures. In general, it may be said that there are three schools of thought with regard to local units of school administration: First, there are those who favor the county as the unit, and in strong form; that is to say, they would submerge the district as constituted in many States and make the county as effectually a unit of school control and supervision as the city generally is. A second group would have the "county unit" in modified form, leaving to each community a measure of local autonomy; and then there is the third group, which is averse to abandoning the district system or township system, according as one or the other of these two is preferred. Whatever may be the final outcome there is without doubt a trend toward the "county-unit" system at the present time. In his book, "The Rural Teacher and His Work," Dr. H. W. Foght classifies 19 States¹ as having adopted the county plan of organization and mentions a twentieth State² which permits its less-populous counties to adopt this plan by vote of the people. As between the advocates of what has been called the "pure county type" and those who prefer a modified form, results so far attained are indecisive. Dr. Foght classifies 10 States as belonging to the "mixed or semicounty type," though he himself would appear to favor the stronger organization.

Within the biennium treated here, the most notable change to the county system was that made in New Mexico in 1917. By act of the legislature (ch. 105) that State provided for a county board

¹ Alabama, Arizona, California, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, New Mexico, North Carolina, Ohio, South Carolina, Tennessee, Texas, Utah, Virginia, and Washington.

² Nebraska.

of education of five members to consist of the county superintendent of schools and four qualified electors appointed by the district judge. This board is charged with the administration of schools throughout the county, excepting those in incorporated cities, towns, and villages. In general, this law of New Mexico may be regarded as representing the modified form of county administration. In the matter of finances the State and county funds are apportioned to school districts on the basis of the school census; and additional funds may be provided by district taxation. The expenditure of rural funds, however, is administered by the county board. Teachers are employed by the district board of directors with the approval of the county board. All equipment and supplies for rural schools, whenever possible, must be purchased by the county board in quantities and at wholesale prices. Rural school property is vested in the county board, and districts may be changed, consolidated, or abolished by the same authority. County superintendents remain, as formerly, officers elected by popular vote. Rural high schools, as well as rural schools of elementary grade, are subject to the control of the county board.

No other changes of great importance were made in county administration in 1917 or 1918. However, in North Carolina an act of the former year provided that in counties where members of the county boards of education were elected by the legislature candidates for membership in boards should be nominated at the party primaries or conventions and that the legislature should elect members from the nominations so made. In a Maryland act of 1918 district school boards are authorized to reject assignments of teachers to their respective districts, but the county superintendent is not required to make more than three nominations for the same position. In adopting this provision Maryland veered back slightly toward the "semicounty type."

Laws affecting county superintendents of schools have within the past biennium generally taken the form of provisions for increases in salaries and for deputy or assistant superintendents. Among the States which raised the salaries of their county superintendents were Arizona, Colorado, Delaware, Kentucky, Pennsylvania, and South Dakota. Kansas and Minnesota provided increases in the larger counties. The payment of the expenses of superintendents was provided for in Montana, Nebraska, and New Jersey. The law of the last mentioned, as amended in 1918, provides for the payment of the expenses of the superintendent, upon the presentation of proper vouchers, but such expenses must not exceed \$125 in any quarter year. Deputy or assistant county superintendents were provided for in 1917 in Arizona, Iowa, Kansas, Montana, and North Dakota. A South Dakota act of the same year provided for the

nonpartisan election of superintendents. Kentucky, at the last session of its legislature (1918), repealed an older law which required an examination for certification for eligibility to the office of county superintendent. In lieu of this provision it is now provided that any person holding the degree of bachelor of arts in education, bachelor of science in education, an advanced certificate issued by the University of Kentucky, or an advanced certificate issued by the State normal schools shall be eligible to hold the office.

THE SCHOOL DISTRICT.

Perhaps the most notable legislation under this head within the last two years was that enacted in New York in 1917. By the enactment of chapters 328 and 786 that State revised and reorganized its whole system of local school administration. The former act affected villages and rural communities, and the latter concerned city boards of education. The act affecting the smaller communities had the effect of abolishing all school districts as units of school administration and substituting therefor a larger unit, the township. This act, however, was repealed by chapter 199, Laws of 1918, and the old district system was accordingly restored. Chapter 786 was entitled "An act to amend the education law, by providing for a board of education in the several cities of the State." Under its provisions a city formerly having nine members or a small number on its board of education continues to have the same number, but in all other cities, except New York and newly created municipalities, the number of members is reduced to nine. New York City, which formerly had a board of 46 members, now has only seven, and boards of newly created municipalities will have five members. Where formerly elected, boards will be elected under this act, and where formerly appointed they will be appointed still. In general, this law leaves the functions of city administrative agencies substantially as they were prior to its passage. Its effect, in the main, is to repeal numerous special acts and to make more uniform the State's system of city school administration. In the legislature of 1918 it escaped the fate of the "township act," having been changed only by minor amendments.

CONSOLIDATION.

The movement for consolidated rural schools goes on without abatement: in every legislative year it is the subject of extensive legislation. Few now deny that, whenever practicable, the one-room rural school must give place to a larger, better-equipped, and more thoroughly graded seat of instruction. In States having county administration consolidation is easily effected through the powers of the

county board of education. In New England and a few States elsewhere a method of consolidation subsists in the township system. Where the district system prevails, laws specifically designed to effect a union of two or more districts are necessary. In view of this fact one looks to States having the district system for new laws relating to consolidation, and it is there that most of them are found. However, practically all States now have laws on the subject, and current enactments are generally of the nature of amendments to existing statutes. Among the States which have within the last two years changed their consolidation laws are Illinois, Iowa, Kentucky, Michigan, Oklahoma, South Dakota, Indiana, Kansas, Mississippi, and Wisconsin. In the first six of these the new enactments relate chiefly to the manner of consolidating, which is usually effected by vote of the people in the districts concerned. In Indiana, the transportation of pupils was the subject of legislation. There the township trustee is now required to provide transportation for all children who reside over 2 miles, and for children between 6 and 12 years of age who reside over 1 mile, from school. A Kansas act authorizes contracts with parents or other custodians to transport their own children. Mississippi in 1918 authorized school trustees of independent districts to provide transportation for children residing over 2 miles from school. A Wisconsin act of 1917 prescribes conditions on which State aid for transporting pupils will be granted.

PUBLIC SCHOOL SUPPORT.

Two phases of school financing are prominent in present-day legislation. These are (1) the general tendency to increase tax rates for school purposes and (2) the effort to shift the burden of school support more from the local community to the larger units, State and county, or otherwise to equalize educational opportunities. It is not practicable nor desirable to outline here all recent provisions of funds for public schools. There is scarcely a State which has not amended within the past few years its law providing school revenue, and in nearly all cases increases in taxes have been allowed. Among the States which have made provision for such increases within the last biennium are Arkansas, California, Delaware, Florida, Idaho, Iowa, Kansas, Montana, Nebraska, New Jersey, North Carolina, Oklahoma, Oregon, South Carolina, Texas, and Virginia. It is worthy of note that among these States are some that provide for county taxation for educational purposes. The Legislature of Florida, for example, proposed in 1917 an amendment to the State constitution which is designed to require each county to levy on all taxable property therein a school tax of not less than 3 mills nor

* Ratified by the voters at the November election, 1918.

more than 10 mills on the dollar. An Idaho statute enacted in the same year requires the board of county commissioners to levy a tax for general school purposes which shall be sufficient to raise a minimum of \$15 per capita of children of school age. An Oklahoma act provides a county tax of 1 mill on the dollar.

There is a sense in which the "county-unit" propaganda, the tendency toward increased State appropriations and taxation for education, and the advocacy of Federal aid to the State school systems may all be regarded as parts of the same effort. By this it is meant that all have their roots in the recognition of the unaided local community's inability to provide proper school facilities and of the larger unit's duty in the matter. That a larger proportion of the burden of school support will be taken from the school district and assumed by the State and county—and perhaps by the Federal Government—now seems certain; the trend of legislation is without doubt in that direction. A State appropriation for rural schools made in Texas in 1917 amounts to \$1,000,000 per annum. An amendment to the constitution proposed by the same legislature would provide a State tax of 35 cents on the hundred dollars.¹ By an act of the same year, Delaware provided an annual appropriation of \$250,000, out of the proceeds of the State's income tax, "for the benefit of the public schools." The Legislature of New Mexico provided for a State school tax of one-half mill on the dollar.

Legislatures of 1918 were no less generous with State provision of school funds. The Louisiana General Assembly proposed five amendments to the constitution,¹ all of which were designed to make more stable the State's system of school support and, particularly, to shift the burden more to the county and the State. Virginia increased from 10 to 14 cents on the hundred of property valuation the State tax levy and added \$100,000 to its annual appropriation for school purposes. In the Georgia Legislature the annual appropriation was increased \$300,000, and, had the bill become a law as it passed the lower house, the increase would have amounted to \$1,000,000. Massachusetts and Maryland also showed tendencies to add to the State's share in school support. By an act of the legislature of the former, State aid is granted to high schools in towns having fewer than 500 families and a comparatively low average of property valuation.

What is popularly known as "State aid" is a common form of State participation in school maintenance. This, in general, serves two purposes: (1) It is extended to the weak district to enable it to provide adequate, or more nearly adequate, common-school facilities; and (2) it is granted in some States to any district to encourage it

¹ Ratified by the voters at the November election, 1919.

to provide desirable types of special instruction, such as agriculture and home economics. Among the States which have recently enacted State-aid laws, or amended those already in force, are Connecticut, Delaware, Missouri, Rhode Island, South Carolina, Utah, and Wisconsin.

IMPROVEMENT OF THE TEACHING PERSONNEL.

Under this head are included the several elements which make for the development of efficient instruction. Among these elements are adequate training for the prospective teacher, higher salaries and better opportunities in the teaching profession, more contentment and security in employment, and better social conditions amid which the teacher may do his work. State laws looking to all these ends are to be found in recent acts of legislatures. With regard to the training of teachers some noteworthy acts have been passed within the past year or two.

A Massachusetts enactment of 1918 authorizes the State board of education to expend not exceeding \$4,000 a year for the purpose of aiding pupils in the State normal schools. In New York an act of the same year standardizes the compensation of the faculties of the State College for Teachers and the normal schools. Under the provisions of this act a salary schedule is prescribed. The salaries of the president and the dean of the college for teachers are fixed at \$6,000 and \$4,500, respectively, and the principal of each normal school is to receive the same pay as that of the dean of the college. The compensation of the professors, assistant professors, instructors, and assistant instructors in the college for teachers and of the heads of departments, assistants in departments and critic and model teachers in the normal schools begins at a prescribed minimum for each class and proceeds by annual increments to a maximum which is likewise prescribed. According to this schedule the maximum for professors in the college is \$4,000, and for the head of a department in a normal school, \$3,000. An act passed in Nebraska in 1917 provides in the normals of that State an "elementary course" and an "advanced course" for teachers of rural schools. The Legislature of Arkansas in the same year authorized the State normal school to issue special certificates to teachers of rural schools and to persons completing the two-year course in home economics. A Washington act established extension departments in the normal schools of that State. Increases in funds for the maintenance of institutions for the training of teachers were provided in many States.

Another type of teacher training—a type designed chiefly to prepare persons to teach in rural communities—is that found in high schools and now become widespread in the country. Twenty-five

States have laws providing for such training. Among these are two, Montana and Wyoming, whose legislatures made the provision in 1917. The usual law on this subject authorizes approved four-year high schools to offer training courses and to grant diplomas upon which teachers' certificates of elementary grade may be issued without further examination. These laws also generally provide State aid for the payment of instructors in the normal branches.

Teachers' salaries, a constant subject of legislation, occupied the attention of legislative assemblies in 1917 and 1918, as well as those of previous years. In fact, the outbreak of the war and consequent rise in wages elsewhere made more acute the problem of retaining teachers in their positions at prevailing rates of pay, and this condition could hardly escape the attention of legislatures. The two usual forms of salary legislation, provisions for increased funds for tuition purposes and minimum-salary laws, were in evidence. Of the first of these, note has already been made under the heading "public-school support." Among the States which prescribed minimum amounts that may be paid to teachers or which amended existing statutes on the subject were Massachusetts, Delaware, Pennsylvania, Maryland, Kentucky, and Wisconsin. The usual law of this character prescribes a minimum monthly stipend for each grade of teachers, particularly teachers of the elementary grades. Thus Pennsylvania in 1917 (No. 425) provided that the holder of a provisional certificate shall receive not less than \$45 per month; the holder of a professional or a normal school certificate, not less than \$55; and the holder of a permanent certificate or final normal school diploma, not less than \$60. The object of the minimum salary law is twofold: It protects the teacher, especially the beginner, from the penuriousness of local school boards, and it prevents the bargain-driving board from going into the market and buying the cheapest possible teaching service. In both aspects it has a tendency to improve the character of instruction in the public schools.

Two kinds of laws tend to give the teacher a feeling of assurance and contentment, a desirable state of mind in a public servant so poorly paid. These are popularly known as "tenure laws" and "pension laws." Of the former there are as yet few on the statute books of the country, that of Massachusetts being among the more notable, but teachers' associations and like agencies are continually furthering the propaganda, and legislatures are brought more and more to consideration of the matter. It should not be the purpose of a tenure law to make secure in his or her position the inefficient teacher, but it is desirable that the efficient teacher be relieved, after a reasonable period of probation, of the burden of having to stand annually for reelection, and that on the school board should be placed

the burden of showing cause why any teacher's employment, after the period of probation, should be discontinued.

Many laws providing for the retirement of superannuated teachers are now in force. Thirty-seven States have such laws applying to the whole or some part of their areas. The most recent development in this field of legislation is the effort to put retirement systems on a sound actuarial basis. The acts of Connecticut and Pennsylvania passed in 1917 are representative of this effort.

Among the laws designed to improve the social environment of the teacher are those which provide for "cottages" or other homes for teachers, particularly in rural sections of the country. A few States now make provision for such cottages. Among these are Illinois, Tennessee, Louisiana, Texas, Nebraska, and Washington. The most recent addition to this group was Mississippi, which in an act of 1918 authorized independent school districts to levy a tax for the purpose of erecting teachers' homes. The provision of teachers' homes in connection with schoolhouses would seem to forecast the coming of a rural-school plant which shall consist not merely of a building for sheltering the pupils during the hours of instruction, but also of several acres of land, a dwelling, a barn, and other equipment suited to rural life and rural community purposes. There is in the country a well-defined movement which is working to this end.

THE CERTIFICATION OF TEACHERS.

Aside from the general tendency to raise the requirements of qualification to teach, there are two or three other aspects of teacher-certification which are worthy of note. Perhaps the most significant feature of recent legislation relating to this subject is the large number of provisions for special certificates. These are of various kinds, as for manual training, agriculture, industrial subjects, household economy, physical training, Kindergarten, and classes for special types of children. Many legislative acts of recent years have provided for the certification of instructors in special branches. California, for example, amended its law in 1917 (ch. 699) so as to authorize county boards of education to issue special certificates to teachers of deaf and atypical children and of classes in citizenship, oral expression, library craft, commercial Spanish, and vocational guidance. Household economy is a subject which is prominent in laws providing for certification in special branches or classes. The tendency would seem to be to require of full-time teachers in this department graduation from a standard high school and the completion of a two-year course in home economics in addition thereto. Thus Michigan, by act of 1917, requires the completion of a two-year course in the subject, such course to be completed in the University.

of Michigan, any State normal school, any college incorporated under the laws of the State, or any institution approved by the superintendent of public instruction.

The certification of kindergarten teachers is another subject of considerable legislation. Some States, in providing for the establishment and maintenance of kindergartens, include in the law requirements of teachers. Specialists in this branch of education hold that a kindergarten teacher should have completed a four-year course in high school and at least a two-year course in a training school, and the tendency in legislation appears to be working to this end. Maine, in 1917, provided that a kindergarten teacher must have completed at least a two-year course in kindergarten training and received a certificate or diploma from a training school approved by the State superintendent of public schools.

Another significant feature of recent certification laws is the provision for accrediting approved college and university diplomas and teachers' credentials issued in other States. Most States now have legal provisions of this character. Among the more recent laws on the subject are those of North Carolina and Florida, enacted in 1917, and that of Mississippi, enacted in 1918.

THE SCHOOL TERM.

In Bulletin, 1916, No. 42, "Minimum School-term Regulations," published by the Bureau of Education, it was shown that 44 States had at that time established by law a "minimum term of from 60 to 180 days' schooling for each organized school district." The four States named as having no such legal provision were Alabama, Georgia, Louisiana, and Rhode Island. Since, in the first three of these, the county-unit system of school administration prevails and county boards of education are authorized to distribute State and county funds, from which school support is largely derived, to local districts according to their respective needs, the requirement as to a minimum term there is not so essential as in some other States. In Rhode Island, where the public schools are already generously supported, the average school term being longer than that of any other State, minimum-term regulation would appear to be unnecessary.

In view of these facts, minimum-term legislation enacted within the last two years must of necessity have partaken largely of the nature of amendments to older laws. There have been, however, some noteworthy enactments of this nature. Nebraska, by act of 1917, increased from seven to eight months the length of term required of any district having between 20 and 75 persons of school age and fixed at not less than that length the term for any other

district when its school can be maintained on a tax of 15 mills added to funds received from the State. North Carolina in the same year provided for an annual county tax to aid districts in maintaining school for not less than six months. Reference has previously been made to an increase of \$100,000 in the State appropriation for school purposes in Virginia. In order to secure the best possible results from the increases provided in State funds, the legislature attached certain conditions to the distribution of the money accruing under the appropriation act. One of these conditions is that, in order to receive the benefits of this distribution, the district must maintain its schools for an average of seven months in the year.

COMPULSORY SCHOOL ATTENDANCE.

The most significant attendance law enacted in this country within the last decade was that passed by the Legislature of Mississippi in 1918. Its significance lies in the fact that every one of the 48 States now has a statute requiring attendance at school, for Mississippi's enactment was the last of the series. All of the States are now committed to the policy of requiring children to attend school for some period of their lives and for all or some part of the school term. The problem is no longer one of securing initial legislation in States not having attendance laws, but rather concerns the extension of the application of existing laws and otherwise making them more effective.

Reaching the last of a series conduces to retrospection. The period through which compulsory attendance was extending over the country—"from the Atlantic to the Pacific and from the Great Lakes to the Gulf"—was of 66 years' duration. The brief table presented below shows the years in which the several States enacted their initial laws on the subject:

Date of enactment of compulsory attendance laws.¹

Massachusetts	1852	Wyoming	1870
New York	1853	Ohio	1877
District of Columbia	1861	Wisconsin	1879
Vermont	1867	Rhode Island	1883
New Hampshire	1871	Illinois	1883
Michigan	1871	Dakota	1883
Washington	1871	Montana	1883
Connecticut	1872	Minnesota	1885
New Mexico	1872	Nebraska	1887
Nevada	1873	Idaho	1887
Kansas	1874	Colorado	1890
California	1874	Oregon	1889
Maine	1875	Utah	1890
New Jersey	1875	Pennsylvania	1895

¹ U. S. Bureau of Education, Bulletin, 1914, No. 2, p. 10; as revised to date.

Date of enactment of compulsory attendance laws—Continued.

Kentucky.....	1896	Oklahoma.....	1907
Indiana.....	1897	Virginia.....	1908
West Virginia.....	1897	Arkansas.....	1909
Arizona.....	1899	Louisiana.....	1910
Iowa.....	1902	South Carolina.....	1915
Maryland.....	1902	Texas.....	1915
Missouri.....	1905	Florida.....	1915
Tennessee.....	1905	Alabama.....	1915
Delaware.....	1907	Georgia.....	1916
North Carolina.....	1907	Mississippi.....	1918

This table shows only one phase of compulsory attendance—the time of its introduction into each of the several States. Another and perhaps more important phase is its growth in public favor after embodiment in law. This can not be shown so graphically. The usual course of the compulsory attendance movement in a State is through its embodiment in law and on into a period of extension of application and the adoption of more effective means of enforcement. Thus North Carolina enacted its first attendance law in 1907, made State wide its application in 1913, and extended the age limits in 1917.

The new law of Mississippi becomes applicable in a county or independent district only by an approving vote of the qualified electors residing therein. It fixes the age limits at 7 and 14 and requires attendance for at least 60 days in each year. Other noteworthy attendance laws of 1918 were a Massachusetts act further regulating the maintenance of county truant schools, a Kentucky act extending to magistrates' and police courts' jurisdiction in cases arising under the attendance law, and a Virginia act making its requirements State wide in application. Important laws were enacted in 1917 by the legislatures of Arkansas, Connecticut, Michigan, New York, North Carolina, North Dakota, Rhode Island, and South Dakota. In Arkansas, the requirement is extended to the entire State; in Connecticut, a State "prosecuting agent" is provided to enforce the law; in Michigan, private and parochial schools are required to make reports; in New York, the number of days of required attendance each year is increased from 160 to 180; in the other States mentioned the age limits are extended in one way or another.

HEALTH AND SANITATION.

Reference is made elsewhere in this chapter to some wholesome effects of the war upon educational legislation. Without doubt the outbreak of hostilities in Europe and the accelerated propaganda for "preparedness" in this country gave strong impetus to physical training in the public schools. This is evidenced by the passage of the laws of New York and Louisiana in 1916, and by the adoption early in 1917 of provisions for physical training in all schools or

for military training in high schools, or for both, in Arizona, Indiana, Nevada, New Jersey, Oklahoma, and Oregon. Since the entry of the United States into the war, California, Delaware, Michigan, Rhode Island, and Maryland have enacted similar laws. The law of Maryland was passed in 1918 (ch. 269). According to its provisions, physical training must be provided in all public schools and schools receiving State aid. The State board of education is authorized and directed to regulate such training and to appoint a State supervisor of physical training and such assistants as may be deemed necessary. With respect to recent laws providing for military science and tactics in secondary schools, it may be noted that in only two States, New York and Arizona, are the provisions made mandatory in relation to both school authorities and high-school students. In New Jersey, the State board of education is authorized to make the requirement that military training be given in the high schools. Without regard to military training in high schools, the following States now provide by law for physical training in the common schools: California, Delaware, Illinois, Maryland, Nevada, New Jersey, New York, and Rhode Island. All of these, except Illinois, which enacted its law in 1915, have made the provision within the last two years.

The physical examination of school children, which had its beginning in San Antonio in 1890 and attained its earliest high degree of development in Boston in 1894, is now provided in some form in all States, though there are still a few which have no specific law on the subject. Recent laws are concerned with the extension of the practice and with the provision of kindred activities. An act of the New Hampshire Legislature of 1917 requires the school board of every city, union, special or town school district to submit to the qualified electors the question of providing medical inspection of schools. A Nevada act of the same year requires teachers to make examination of school children to ascertain if they are defective as to sight or hearing, have diseased teeth, or are addicted to mouth breathing. North Carolina and North Dakota provide for medical inspection by county authorities. In Wisconsin teachers are now required by law to send insanitary pupils home. Pennsylvania and Rhode Island, under acts of 1917, provide for the professional treatment of certain pupils—the former for those having defective eyes or teeth and the latter for those having defective teeth. In 1918 New Jersey authorized the maintenance of dental clinics for indigent children, and Virginia authorized county boards of supervisors to appropriate county funds for the purpose of providing medical inspection of school children and for the employment of nurses to visit schools and homes.

The regulation of schoolhouse construction and the prevention of the common use of drinking cups, and the like were likewise sub-

jects of legislation in 1917 and 1918. Vermont and Washington in the former year enacted laws designed to protect school children from accidents caused by automobiles. Vermont now requires within 200 feet of a schoolhouse the sign, "Two hundred feet to a schoolhouse." In Washington the sign, "School, slow down," must be placed within 100 yards of each school. A few States regulated the construction of fire escapes, and California and Arizona prohibited the common use of drinking cups.

HIGH SCHOOLS.

High-school laws enacted within the last two years concern chiefly the extension of secondary education. As seen in legislation this extension presents three noteworthy aspects: (1) The general tendency toward universal high-school education; (2) legislative recognition of the "junior high school"; and (3) provision for the "junior college." The first of these is evidenced by the recent enactments of a number of States. In 1917 New Hampshire, Michigan, Kansas, and Montana provided for the payment of the tuition fees of pupils of secondary grade whose home districts were not providing adequate facilities for pupils of their attainments. In the first two of these the tuition fees are paid by the district, in the latter two the county bears the burden of payment. In several other laws authority for the establishment and maintenance of high schools is conferred. A Tennessee act of the same year (chapter 96) reorganizes generally the secondary schools of that State. Under the provisions of this act elementary schools consist of the first eight grades, and high schools may be either two-year, three-year, or four-year schools. The courses of study are prescribed by the State board of education. Without affecting four-year schools already established, the county high-school boards may establish a sufficient number of two-year and three-year courses to meet the needs of rural communities. A county tax of one-half mill is authorized for the promotion of secondary education. The county court elects the high-school board. An Illinois act of 1917 requires all that part of a county not in a school corporation maintaining a four-year high school to be organized as a "nonhigh-school district" for the purpose of levying a tax and paying the tuition fees of high-school pupils residing therein.

The junior high school, which is now widespread in the country, has received specific legislative recognition in Vermont, California, and Michigan. In many States specific legal provision for such schools is unnecessary, since they may be provided under authority of existing law. The "junior college" is a later development in secondary education. It consists usually of an extension of the four-year course to include two additional years, which correspond in general to the freshman and sophomore years in college. Three

States, California, Kansas, and Michigan, made provision for junior colleges in 1917. The Kansas act (ch. 283) provides for a two-year course in advance of the regular course approved by the State board of education and applies to cities of the first and second classes and to county high schools. This extension, however, must have the approval of the qualified electors voting at an election. A tax of 2 mills in a city or one-tenth mill in a county may be levied to carry out the purpose of this act.

In 1918 three States enacted important high-school laws: Massachusetts granted State aid for secondary education in the smaller towns; Maryland added to its system a third class of high schools; and Virginia authorized schools of two, three, or four rooms to give instruction in secondary subjects, if approved by the State board of education.

SPECIAL CLASSES FOR ATYPICAL CHILDREN.

More than three-fourths of the States now have institutions to which feeble-minded youth may be committed and given training suitable to their capacities, and other States are, from time to time, being added to this group. Thus Texas provided for a State "farm colony" for the feeble-minded in 1915, and South Carolina made similar provision in 1918. It would seem, therefore, that atypical children of the type commonly called "institutional cases" are soon to be provided for by law, but the higher grades of subnormality, such as pupils retarded from one to three years in their studies, have received less legislative attention. There are, however, some signs that provision for these higher grades may be made in the near future. Already special classes for "backward children" are widely maintained, but this provision needs encouragement and direction. A few States, as New York, New Jersey, Wisconsin, and Minnesota, make special legal provision for subnormal children.

The New York law was enacted in 1917 (ch. 533). It directs the board of education of each city, union free school district, or common-school district to ascertain the number of children in attendance upon the public schools therein who are three years or more retarded in mental development and requires the board of each city or union free school district in which there are 10 or more such children to establish special classes for them. Any school corporation having fewer than 10 such children may contract for their instruction in another city or district maintaining classes as provided by this act. An amendment of 1918 authorizes boards to contract with approved institutions in lieu of organizing special classes. A Wisconsin act of 1917 authorizes city and village districts, with the approval of the State superintendent, to establish and maintain classes for "ex-

ceptional persons of school age." A State supervisor of such classes is provided for, and State aid is granted annually to the extent of one-third of the salary of each teacher so employed, but not exceeding \$300 of State funds may be paid to any one teacher.

CIVIC AND PATRIOTIC INSTRUCTION.

The enactment of laws designed to provide instruction in patriotism affords another example of the impulse given to some kinds of school legislation by the European war. Laws enacted for this purpose have generally taken the form of a requirement that patriotic instruction and exercises be incorporated in the school curriculum and, in the absence of an earlier law on the subject, provision for the display of the United States flag on or near each schoolhouse. Massachusetts and Minnesota, by acts of 1917, provided for training in the duties of citizenship; and in the following year New York and Texas made provision for patriotic instruction. In New York an earlier law left to the option of the local school board the inclusion of patriotic lessons in the curriculum. The new law requires instruction in patriotism in all schools, both public and private. The Texas law, enacted at a special session of the legislature in 1918, requires every public school-teacher to devote at least 10 minutes each school day to instruction designed to inculcate "intelligent patriotism."

About three-fourths of the States now require the display of the United States flag on or near every public-school building. By act of April 21, 1917, Florida required the display of the flag on school-houses, and in 1918 Maryland and Texas enacted similar laws. There remain 40 States of the South which have no law on the subject, but the recent enactments mentioned here would seem to indicate that all States may soon have legal provision for the display of the flag.

THE ELIMINATION OF ILLITERACY AND THE AMERICANIZATION OF ALIENS.

In some aspects the immigrant and the illiterate native present to the American people the same problem. Both are civically unadjusted, both are in need of education more or less elementary in character, and in both cases it is in large measure the adult who makes the problem. Still another likeness appears in the fact that the same kind of school, the evening school, will either serve the purpose of Americanizing the alien or afford instruction for the illiterate native.

Within the period comprehended by this review several States have enacted laws looking to the Americanization of the alien and the elimination of illiteracy. The custom in some of the Southern States of conducting "moonlight schools" and like activities for

the instruction of illiterate persons is growing. In a few States these activities are conducted under the direction of State "illiteracy commissions." In addition to those already established, commissions of this nature were created in Mississippi in 1916 and in Arkansas in 1917. No State appropriation, however, was made in either case. This was in accord with past practice, for initial acts creating these commissions have generally carried no appropriation, the commission being left to look to private benefaction for support. A second step in the procedure, however, has been reached. In 1917 North Carolina and in 1918 Kentucky, each appropriated \$25,000 annually for the work of reducing illiteracy within their respective borders. Thus the States are beginning to take more vigorous hold of the problem.

The legislature of New York in 1918 passed three acts designed to cure the malady of illiterate citizenship in that State. An act known as the "Lockwood law" authorizes the establishment of institutes in the normal schools and in cities for the purpose of training teachers to give instruction to adult illiterates. A second act, the "Robinson law," requires attendance at either day or evening school of all persons between 16 and 21 years of age who do not possess such ability to speak and write the English language as is required for completing the work of the fifth grade of the elementary school. A third act requires the maintenance of evening schools in cities of the first, second, and third classes, and in union free school districts under certain prescribed conditions. The legislature of Arizona, at a special session in 1918, provided for "night schools" in districts "where there are 15 or more persons over 16 years of age who either do not read and write the English language, or who do not speak the English language." State aid is granted for the support of the schools provided for in the Arizona act. A Mississippi act of the same year authorizes any school district to levy a local tax for the purpose of maintaining evening or part-time schools for "persons in need of such instruction."

Reverting to the legislation of 1917, one finds that in that year at least a dozen States enacted laws affecting evening schools. Colorado authorized the establishment of public day and continuation schools, part-time schools, and evening classes for instruction in the arts and practices of trades and vocations, and empowered the State board of education to expend State funds therefor. Under the provisions of an Iowa act any school district may establish evening schools for persons over 16 years of age, and is required to establish such a school whenever 10 or more persons entitled to attend desire instruction therein in the common branches. Laws of California, Minnesota, and Tennessee provided, respectively, for both day and evening classes for persons over 14 years of age, for evening schools

for persons over 16, and for "night schools" for persons over 15. Nevada and North Dakota provided generally for evening schools. An act of New Mexico authorizes the directors of any school district in which there are 10 or more illiterate or semi-illiterate persons to employ the day-school teacher to give such persons instruction in the evenings. New Jersey now provides for the proportionate payment of State funds for evening schools for foreign-born residents when the aggregate to which such schools are entitled exceeds the State appropriation. The new law of South Carolina permits persons over 21 years of age to attend "public night schools." West Virginia authorizes the establishment of evening schools for persons over the compulsory-attendance age. Wisconsin increased to three-fourths mill the tax that may be levied in cities for industrial and continuation schools. From these laws at least one significant fact emerges: The older evening school conducted generally as an "opportunity school" for youth is now more extended in scope and function so as to include instruction for adults who are in need of further education and civic adjustment.

COMMUNITY ORGANIZATION IN SCHOOLHOUSES.

The propaganda for the "wider use of the school plant" is now more than a decade old, the social and recreation centers of Rochester, N. Y., having attracted wide attention as early as 1907, but the conception of this "wider use" has now grown broader. "The ultimate unit in every State, Territory, and possession of the United States is the school district. Every school district should therefore be a little democracy, and the schoolhouse should be the community capitol," says Dr. P. P. Claxton.¹ From this statement one gets the idea that every community is entitled to constitute itself a little democracy, centering in meetings at the schoolhouse, and conducting such legitimate neighborhood activities as it may deem proper, and without doubt this is the trend of present-day thought on the subject. In 1917, not fewer than 14 States made provision in one form or another for the use of the schoolhouse as a center of community activities other than the ordinary instruction given to pupils in the day schools.

Laws permitting local school authorities to open schoolhouses for recreational and other community purposes were enacted in 1917 in Iowa, Kansas, Michigan, Minnesota, Oklahoma, and Utah. In these laws the use of the schoolhouse for such purposes is left to the discretion of the school board; that is to say, the board is the final authority in determining whether the school plant shall be so used. Many of the friends of the community-center movement would have laws drawn in stronger form. They would have them require the

¹ U. S. Bureau of Education, Bulletin, 1918, No. 11, p. 5.

school board to open the schoolhouse for community activities when requested so to do by a sufficient number of citizens. Several laws enacted in 1917 were framed in accordance with this view. Thus, the Legislature of New Jersey changed from permissive to mandatory the law of that State. The district or city board of education there is now required, "subject to reasonable regulations to be adopted by said board or upon notification by the commissioner of education," to permit the use of the schoolhouse for community purposes. In New York, on petition of 25 citizens of any school district or city, the district board of trustees or city board of education is now required to organize and conduct community centers and civic forums and to provide funds for their support. Ohio likewise requires school boards to permit such use of school property.

An important feature of a well-organized community center is the provision for a "community secretary," or executive officer of the community organization. This office, which has already appeared in practice, is now appearing in laws on the subject. An example is found in chapter 86 of the New Hampshire Acts of 1917. This law authorizes cities and towns to equip and operate playgrounds and recreation centers and to employ "such play leaders, playground instructors, supervisors, recreation secretary, or superintendent and other officials as it deems best." The school board may be given charge of such activities, in which case schoolhouses may be used to carry out the purposes of the act.

The act of Congress making appropriations for the expenses of the government of the District of Columbia for the fiscal year ended June 30, 1918, provided "for the payment of necessary expenses connected with the organization and conducting of community forums and civic centers in school buildings, including * * * payment of janitor service, secretaries, teachers, and organizers, * * * \$5,000." This provision was continued in the appropriation act for the current year.

A North Carolina enactment of 1917 makes it the duty of the State superintendent of public instruction to provide a series of entertainments, varying in character and cost and consisting of motion pictures, to be given in rural schoolhouses. One-third of the cost of these entertainments is to be borne by the State, and the other two-thirds must be provided by the county board of education or the rural school community. An annual State appropriation of \$25,000 is made by this act. An act of the South Dakota Legislature authorizes school districts to levy taxes for community-center purposes, and a Texas act permits the use of school buildings for holding elections. In 1918 Rhode Island, New Jersey, and Maryland made further provision for the community use of the school plant. The first two of these authorized the use of schoolhouses as polling places. Maryland

provided for community meetings and authorized the State superintendent to arrange for pictorial instruction in the schools.

TEXTBOOKS.

Textbook laws passed within the past two years present no especially distinctive features. Free textbooks and State uniformity have been subjects of legislation for a number of years, and the enactments of 1917 and 1918 followed the older lines. Montana, which prior to 1917 had a law permitting school districts to furnish books free of cost to public-school pupils, amended its law in that year so as to require that books be so furnished. Florida authorized the provision of free

textbooks in two of its more important counties. With regard to uniformity of textbooks, one important law was enacted—Arkansas (act 112) changed its system from county uniformity to State uniformity.

A phase of textbook regulation which has received considerable attention in recent years is the requirement that any person, firm, or corporation offering books for sale or exchange in the State must file in the office of the State superintendent samples of such books and lists of prices at which they shall be sold. Thirteen States—Georgia, Illinois, Indiana, Iowa, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Ohio, Wisconsin, and Wyoming—now make such requirement, Illinois and Wisconsin having enacted laws to that end in 1917. In Georgia, Indiana, and Mississippi the requirement applies to books not subject to the uniform-textbook laws. States which do not belong either to this group of so-called "filing States" or in the list of those providing for State or county uniformity are Colorado, Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont.

LIBRARIES.

Some months ago a study of State laws relating to libraries was made in the Bureau of Education, and a summary of those in force January 1, 1918, was prepared. This summary disclosed the following facts respecting State provision of library facilities:

Number having State libraries.....	48
Number having State commissions for the promotion of libraries.....	34
Number having State traveling libraries.....	33
Number having State legislative reference libraries.....	30
Number having State historical commissions (official).....	22
State aid to State historical societies.....	30
Number providing by law for county libraries.....	19
Number providing for county traveling libraries.....	13
Number providing for local public libraries.....	48
Number providing for public school libraries.....	43
State aid to public libraries.....	11
State aid to school libraries.....	10

Of the items enumerated in this table perhaps the most prominent in the library legislation of recent years are the provisions for legislative reference bureaus, county libraries, and school libraries. It will be observed that 80 States now make provision for legislative reference bureaus, whose essential function is to make comparative studies of legislation. This is a wholesome sign, for it shows a trend away from the older haphazard manner of enacting laws and toward the practice of framing new legislation in the light of the experience of other States.

In 1917 seven States—Indiana, Michigan, North Carolina, Pennsylvania, South Dakota, Texas, and West Virginia—authorized the establishment and maintenance of county public libraries. Whether this forecasts an extension of the county-library system to all parts of the country not already supplied with local community libraries can not now be determined, but it unquestionably shows a very strong present tendency to provide library facilities in this way. The county system would seem a thoroughly feasible system for rural sections of the country. A county library located at the county seat, having branches at other centers of population, and sending out traveling collections to every schoolhouse as a distributing station, can be made to serve every community in the county. School libraries, for which 43 States have made legal provision, have been widely extended in recent years, and rightly so, but the county library can be made to correlate and largely increase the reading facilities of the people.

HIGHER EDUCATION.

Perhaps the most important recent legislation affecting institutions of higher learning is that which regulates the finances or systems of support of State colleges and universities. In the matter of general maintenance and current expenses, there is a tendency both to increase the amounts allowed and to stabilize support by providing for tax levies to replace the older practice of making statutory appropriations. Increases in appropriations and tax levies as well were allowed within the last two years in several States. Colorado in 1917 provided for the State university a levy of eight one-hundredths of a mill in addition to the tax already authorized for that institution, and increased to the extent of three-tenths of a mill the tax for the construction and equipment of buildings for all of its institutions of higher learning. The Kansas Legislature of the same year proposed an amendment to the State constitution designed to authorize the legislature to fix a tax rate for the support of the State educational institutions. The Legislature of Washington fixed the levy for the university of that State at seventy-four one-hundredths of a mill. For

the biennium ending June 30, 1919, Illinois appropriates \$4,800,000 to its university, and the fund for the maintenance of the University of California is allowed to increase until the fiscal year 1920 at a rate sufficient to make for each year a sum equal to 107 per cent of the sum for the preceding year.

Provision of funds for buildings and kindred outlays for higher institutions was likewise prominent in the legislation of 1917. In some cases, these funds were provided by bond issues, and in others by tax levies. North Carolina and Tennessee chose the former means. In North Carolina an issue not to exceed \$3,000,000 in amount was authorized for the permanent enlargement and improvement of the State's educational and charitable institutions, and in Tennessee an issue of \$1,000,000 was allowed for the university. Wyoming provided, for the purpose of permanent buildings and improvements at its university, a State tax of one-eighth of a mill in addition to other taxes and appropriations.

The tendency to extend to a wider clientele the benefits of State institutions of higher learning is present in the legislative enactments considered here, as it has been in those of some former years. This extension usually takes the form either of scholarships or of provision of free tuition for the residents of the State. A New Hampshire act of 1917 appropriates \$15,000 annually to Dartmouth College, and directs that out of this amount 10 scholarships be provided for residents of the State. A Virginia act of 1918 provides 119 scholarships—one from each of the school divisions of the State—at the University of Virginia. These entitle their holders "to tuition in the college, room rent, light, heat, and attendance free of charge." Where there is more than one applicant in a school division, the beneficiary is to be selected by competitive examination. If the holder of a scholarship remains at the university two years or more, he must after leaving devote two school years to service as an administrative officer or teacher in the school system. A new Wisconsin law (1917) provides free tuition at the university for students whose parents have resided in the State one year or more; and a Montana act authorizes refunds of traveling expenses, less \$5, of students in the institutions of the university who are residents of the State.

The administration or control of State higher institutions was the subject of legislation in a few States in 1917 and 1918. Arizona created a commission of three members to devote their entire time to the general control of the State charitable, penal, and reformatory institutions and to the supervision of the finances of the university, normal schools, Pioneer Historical Society, State library, and legislative reference library. Nevada amended its law so as to reconstitute the board of regents of the university; this board now consists of five members, elected by vote of the people. North Carolina

increased from 81 to 101 the number of trustees of the university of that State.

In 1915 Massachusetts provided for a department of university extension under the control of the State board of education. The State appropriation for this purpose for the fiscal year 1918 was \$90,000. An act of the Legislature of Wisconsin passed in 1917 authorized the regents of the State university to establish and maintain a training school for public service.

The State of Washington in 1917 (ch. 10) sought to correlate as far as practicable the courses of instruction offered in its higher institutions and to eliminate unnecessary duplication of work. This act prescribes the "exclusive major lines" which the courses at the university shall embrace, and like provision is made with regard to the State agricultural college. Courses permitted in either or both institutions are likewise outlined in the act. Courses in the State normal schools are to be prescribed by the State board of education, but within the limits indicated in the law. A "joint board of higher curricula" composed of nine members is charged with the duty of "considering matters of efficiency and economy in the administration of the foregoing institutions."